

Books and Literature Review Society (BLRS) presents:

Critical Review of the Article:	The Uncertain Relationship between Libertarianism and Totalitarianism
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**Core Idea**

This article is a critical analysis of the theories of Richard Epstein, presented in his work "Takings" and "Principles for a Free Society". According to writer, Epstein is a philosopher and

social theorist, fundamentally optimistic about the possibility of harmony among social theories, or at least among libertarian, utilitarian, and common law worldviews. It is not completely clear that Epstein is a libertarian as a matter of moral principle who believes that libertarianism will also have good social consequences, or whether he is fundamentally a utilitarian who believes that optimal social consequences will be produced by legal rules that abide by the libertarian's moral "side-constraints." If Epstein is a utilitarian, the type of utilitarianism he embraces is uncertain. Does he favor the Benthamite maximizing version "the greatest good for the greatest number" which treats society as though it were a single individual, or does he favor a version that qualifies maximization with distributional constraints, such as "the greatest equal good," or "the greatest good for the least advantaged"?

Writer highlights Epstein's mental confusion and says that If Epstein is a utilitarian; the utilitarianism he embraces is indirect. He is a rule utilitarian, not an act utilitarian. That is, he does not want either individuals or government officers to calculate the social utility of each of their acts: they won't do it very well, and so will fail to maximize utility. Rather, social utility is to be maximized through rules, principally the common-law and constitutional rules that Epstein once championed on libertarian grounds. He gives utilitarian justifications for his position, emphasizing the shortcomings of the legislative process when it comes to redistributing wealth and the advantages of charity over the welfare state. Writer says in short that libertarianism and utilitarianism are actually at odds if libertarianism does not maximize utility. Epstein is feeling defeat during favoring pure laissez fair. He presented human rights situation in Eastern Europe and compared it with his family history, also to prove himself as historian.

Research Methodology

Writer used comparative research method along with theoretically and historically descriptive methods in this article. And, in the end, he used qualitative research method to present his personal opinion.

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Personal Views

During reading Epstain's philosophy, and examining his critical presentation, I came to learn that relationship among libertarianism and totalitarianism is not uncertain phenomenon. However, it is not logical to implement any single theory while investigating phenomena related to social sciences. Pure libertarianism can be a challenge for central authorities regarding making and implementing rules and regulations. Similarly, pure totalitarianism can be a dangerous for provision of fundamental human rights. So, their relationship in a way to secure provision of human rights with highest limited autonomy is a good way of governance.